GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 22.6388 Ha of forest land for rehabilitation and up-gradation of NH-565 from Km.86.057 to Km.133.922 (Nagarjunasagar to Davulapally Section) two lanes with paved shoulders in Kandlakunta Extension RF, Mandadi RF & Veldurthy RF in Guntur Division, in favour of Executive Engineer (R&B), NH Division, Vijayawada – Final (Stage-II) approval accorded.

ENVIRONEMNT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.Ms.No.40 **Dated.29.06.2022**

Read the following:-

1)From PCCF & HoFF, Lr.No.5760/2016/FCA-3, dt.29.12.2016.
2)State Govt.Lr.No.69/Section.II/2017, EFS&T(Sec.II) Dept., dt.31.01.2017.
3)From GoI, MoEF&CC, RO, Chennai, Lr.No.4-APC028/2017-CHN/0553, dt.07.04.2017.
4)From the PCCF & HoFF, A.P., Guntur, Lr.Ref.No.EFS02-15034/116/2018-FCA SEC-PCCF/FCA-3, dt.17.03.2022.
5)State Govt.Lr.No.69/Section.II/2017/(159443), EFS&T(Sec.II) Dept., dt.30.03.2022.
6) From GoI, MoEF&CC, IRO, Vijayawada, Lr.No.4-APC028/2017-CHN/178, dt.05.04.2022.

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ORDER:

In the letter first read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, has submitted a proposal under Section 2 of Forest (Conservation) Act, 1980, for diversion of 22.6388 Ha of forest land for rehabilitation and up-gradation of NH-565 from Km.86.057 to Km.133.922 (Nagarjunasagar to Davulapally Section) two lanes with paved shoulders in Kandlakunta Extension RF, Mandadi RF & Veldurthy RF in Guntur Division, in favour of Executive Engineer (R&B), NH Division, Vijayawada, and requested to forward the proposal to Government of India, Ministry of Environment, Forests & Climate Change , Regional Office, Chennai for consideration.

2. In the letter 2nd read above, the proposal of the Principal Chief Conservator of Forests was sent to Government of India, Ministry of Environment & Forests, Regional Office, Chennai for its approval under Section-2 of Forest (Conservation) Act, 1980.

3. In the letter 3rd read above, the Government of India, Ministry of Environment & Forests, Regional Office, Chennai have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act,1980, for the proposal, subject to compliance of certain conditions stipulated therein. Accordingly, in the letter 5th read above, the State Government furnished the compliance report to the Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada and requested to accord final (Stage-II) approval for the proposal.

4. In the letter 6th read above, the Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada have accorded final (Stage-II) approval under Section-2 of Forest (Conservation) Act, 1980, for diversion of 22.6388 Ha of forest land for rehabilitation and up-gradation of NH-565 from Km.86.057 to Km.133.922 (Nagarjunasagar to Davulapally Section) two lanes with paved shoulders in Kandlakunta Extension RF, Mandadi RF & Veldurthy RF in Guntur Division, in favour of Executive Engineer (R&B), NH Division, Vijayawada, subject to certain conditions stipulated therein.

5. After careful examination of the proposal, the Government hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for diversion of 22.6388 Ha of forest land for rehabilitation and up-gradation of NH-565 from Km.86.057 to Km.133.922 (Nagarjunasagar to Davulapally Section) two lanes with paved shoulders in Kandlakunta Extension RF, Mandadi RF & Veldurthy RF in Guntur Division, in favour of Executive Engineer (R&B), NH Division, Vijayawada, subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged.

ii. The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency.

iii. The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over **48.81 ha (effective area is 46.84 ha)** in the revised degraded forest area at Compt No.57, Mutukur Extn-4 RF, Minchalapadu Beat, Durgi Section of Macherla Range, from the amount which has already been realized from the User Agency;

iv. Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government;

v. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from User Agency;

vi. The user agency shall dig trenches on either side of the road in order to avoid any further encroachments on the road side;

vii. The UA shall construct retain walls and check walls wherever required by consulting the DFO concerned at the project cost;

viii. The construction of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;

ix. Trees/Bushes standing in the diverted area shall be felled/ cleared strictly as per requirement with prior permission of the Divisional Forest Officer concerned;

x. There will be speed breaker on the road within the wildlife areas/ wildlife crossings, along with frequent signage reminding cross of speed limits and the damage of wildlife hits;

xi. The State Forest Department shall raise avenue plantation all along the roadside along maintenance for a period of 7 to 10 years from the amount which has already been realized from the User Agency;

xii. Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO so as to stabilize the soil.

xiii. The State Forest Department shall translocate the trees, wherever feasible instead of felling at the cost of user agency.

xiv. The total forest area utilized for the project shall not exceed **22.6388 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal and the layout plan of the proposal shall not be changed without the prior approval of the Central Government;

xv. The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;

xvi. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under all other Acts, Rules/Regulation and Guidelines as may be applicable to such project. User agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;

xvii. Any other conditions that the Central Government or Regional Officer, Integrated Regional Office, Vijayawada may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.

xviii. The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Govt. and to the Integrated Regional Office, Vijayawada, regularly;

xix. In the event of failure to comply with any of the above conditions the user agency is liable for penal action as per the provisions made in FCA, 1980 and rules / guidelines framed thereunder.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPCIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:

The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

The Inspector General of Forests (Central),
Government of India,
Ministry of Environment, Forests & Climate Change
Integrated Regional Office, Vijayawada,
Green House Complex, Gopal Reddy Road,
Vijayawada-520010

The Executive Engineer, R&B, NH Division,
Bandar Road, Opp.Deputy Transport Commissioners Office,
Vijayawada-520010

SF/SC

// FORWARDED :: BY ORDER //

N. Jagadeeswari
SECTION OFFICER